

1 ROBERT G. HULTENG, Bar No. 071293
rhulteng@littler.com
2 ANDREW M. SPURCHISE, Bar No. 245998
aspurchise@littler.com
3 SOPHIA BEHNIA, Bar No. 289318
sbehnia@littler.com
4 LITTLER MENDELSON, P.C.
333 Bush Street, 34th Floor
5 San Francisco, California 94104
Telephone: 415.433.1940
6 Facsimile: 415.399.8490

7 KEITH A. JACOBY, Bar No. 150233
kjacoby@littler.com
8 RACHAEL LAVI, Bar No. 294443
rlavi@littler.com
9 LITTLER MENDELSON, P.C.
2049 Century Park East, 5th Floor
10 Los Angeles, CA 90067.3107
Telephone: 310.553.0308
11 Facsimile: 310.553.5583

12 Attorneys for Defendants
UBER TECHNOLOGIES, INC. and
13 RASIER-CA, LLC

14 *[Additional counsel listed on next page]*

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17

18 RICARDO DEL RIO, a California
resident, on behalf of himself, the proposed
19 class and collective class; JOSE
VALDIVIA, a California resident, on
20 behalf of himself, the proposed class and
collective class; JOSE PEREIRA, a
21 California resident, on behalf of himself,
the proposed class and collective class,

22 Plaintiffs,

23 v.

24 UBER TECHNOLOGIES, INC., a
25 Delaware Corporation, RASIER-CA, LLC,
a Delaware Limited Liability Company,
26 and DOES 1 through 10, inclusive,

27 Defendants.
28

Case No. 3:15-cv-03667-EMC
[Related to 3:13-cv-03826-EMC]

**JOINT STIPULATION TO CONTINUE
CASE MANAGEMENT CONFERENCE**

Current Date: March 22, 2018
Proposed New Date: May 17, 2018

Complaint Filed: August 11, 2015
FAC Filed: September 21, 2015
SAC Filed: April 27, 2016
Trial Date: None set

1 CHRISTOPHER J. HAMNER, SBN 197117
chamner@hamnerlaw.com
2 AMY T. WOOTTON, SBN 188856
awootton@hamnerlaw.com
3 HAMNER LAW OFFICES, APC
555 W. 5th Street, 31st Floor
4 Los Angeles, California 90013
Telephone: 213.533-4160
5 Facsimile: 213.533-4167

6 MARK J. GERAGOS, SBN 108325
mark@geragos.com
7 BENJAMIN MEISELAS, SBN 227412
meiselas@geragos.com
8 GERAGOS & GERAGOS, APC
644 South Figueroa Street
9 Los Angeles, California 90017
10 Telephone: (213) 625-3900
11 Facsimile: (213) 232-3255

12 BRIAN S. KABATECK, SBN 152054
bsk@kbklawyers.com
13 SHANT A. KARNIKIAN, SBN 285048
sk@kbklawyers.com
14 KABATECK BROWN KELLNER LLP
644 South Figueroa Street
15 Los Angeles, California 90017
16 Telephone: (213) 217-5000
Facsimile: (213) 217-5010

17 Attorneys for Plaintiffs
18 RICARDO DEL RIO, JOSE VALDIVIA and JOSE PEREIRA
19
20
21
22
23
24
25
26
27
28

1 **JOINT STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE**

2 Pursuant to Civil Local Rule 7-12, Plaintiffs Ricardo Del Rio, Jose Valdivia, and Jose Pereira
3 (collectively “Plaintiffs”) and Defendants Uber Technologies, Inc. and Rasier-CA, LLC (collectively
4 “Uber”) (Plaintiffs and Defendants are collectively referred to as the “Parties”), by and through their
5 respective counsel of record, hereby stipulate as follows:

6 WHEREAS, the Court has previously stayed this matter due to the pending appeals in the 9th
7 Circuit regarding the validity of Uber’s arbitration agreements (Ninth Circuit Case No. 15-17475),
8 and the outcome of *Price v. Uber Technologies, Inc.*, Los Angeles County Superior Court Case No.
9 BC554512;

10 WHEREAS, the 9th Circuit has stayed the appeals pending *Morris v. Ernst & Young, LLP*,
11 834 F.3d 975 (9th Cir. 2016), cert. granted (U.S. Jan. 13, 2017) (No. 16-300) (“Morris”),
12 consolidated with *Epic Sys. Corp. v. Lewis*, 823 F.3d 1147 (7th Cir. 2016), cert. granted (U.S. Jan.
13 13, 2017) (No. 16-285) and *Murphy Oil USA, Inc. v. NLRB*, 808 F.3d 1013 (5th Cir. 2015) cert.
14 granted (U.S. Jan.13, 2017) (No. 16-307) (collectively, “*Morris, et al.*”);

15 WHEREAS, the Parties have met and conferred and agree that the pending 9th Circuit appeals
16 will have an impact on the scope of this case;

17 WHEREAS, the Parties believe it would be most efficient to continue the March 22, 2018
18 Case Management Conference to May 17, 2018 pending resolution of the appeals at the 9th Circuit;

19 NOW THEREFORE, the Parties hereby stipulate, subject to the approval of this Court, that:

20 1. The Case Management Conference set for March 22, 2018, at 10:30 a.m., shall be
21 continued to May 17, 2018.

22 2. Case Management Conference Statements shall be due on May 10, 2018.

23 3. The above-captioned case shall remain STAYED until the next Case Management
24 Conference.

25 **IT IS SO STIPULATED.**

1 Dated: March 13, 2018

2 /s/ Shant A. Karnikian

3 SHANT A. KARNIKIAN

4 KABATECK BROWN KELLNER LLP

5 *Attorneys for Plaintiffs*

6 RICARDO DEL RIO, JOSE VALDIVIA and JOSE
7 PEREIRA

8 Dated: March 13, 2018

9 /s/ Sophia Behnia

10 SOPHIA BEHNIA

11 LITTLER MENDELSON, P.C.

12 *Attorneys for Defendants*

13 UBER TECHNOLOGIES, INC. AND RASIER-CA,
14 LLC

15 **ATTESTATION OF FILER**

16 I, Sophia Behnia, attest that concurrence in the filing of this document has been obtained
17 from Shant Karnikian, which shall serve in lieu of his signature on this document.

18 Dated this 13th day of March, 2018.

19 /s/ Sophia Behnia

20 SOPHIA BEHNIA

~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED

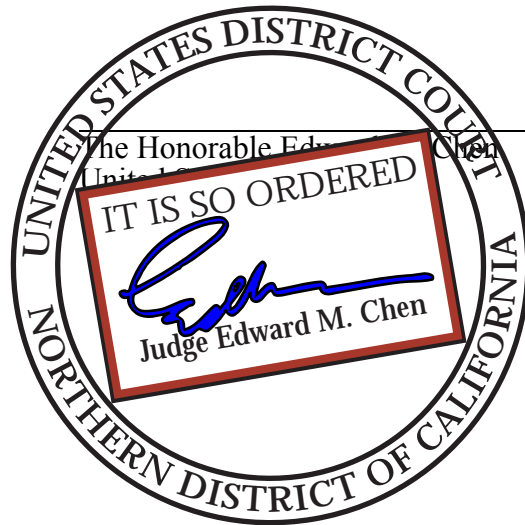
1. The Case Management Conference set for March 22, 2018, at 10:30 a.m., shall be continued to May 17, 2018 at 10:30 a.m.

2. Case Management Conference Statements shall be due on May 10, 2018.

3. The above-captioned case shall remain STAYED until the next Case Management Conference.

IT IS SO ORDERED.

Dated: 3/14, 2018



Firmwide:153417791.1 073208.1083